

EXHIBIT B

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 1

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

COACH, INC., and COACH SERVICES, INC.

Plaintiffs,

v

File No. 2:11-cv-11559-JAC-MAR

HON. JULIAN A. COOK, JR.

YOUNES CORPORATION, INC., d/b/a
Citgo Mini Mart, 13601 W. McNichols
Street, Detroit MI 48227,

and

HASAN Z. YOUNES,

and

Unknown Defendants 1-10 (JOHN DOES),

Defendants.

/

DEPOSITION OF MOHAMED MALLAH

Taken by the Plaintiffs on the 16th day of March, 2012 at
16030 Michigan Avenue, Suite 200, Dearborn, Michigan at
10:00 a.m.

APPEARANCES:

For the Plaintiffs: MR. JACOB JOSEPH SADLER (P71829)
Warner Norcross & Judd, LLP
111 Lyon Street NW, Suite 900
Grand Rapids, Michigan 49503
(616) 752-2271

For the Defendants: MR. SAMER M. FAKIH (P68876)
Fakih & Associates, PLLC
16030 Michigan Avenue, Suite 200
Dearborn, Michigan 48126
(313) 846-6300

Network Reporting

— 1-800-632-2720 —

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 6

1 A Yeah, but I don't understand what -- I don't understand too
2 much English. What does it mean?
3 Q Did you come here from Lebanon?
4 A From Lebanon?
5 Q Yes.
6 A Yeah.
7 Q How do you make a living, sir? What's your job?
8 A Now?
9 Q Now.
10 A Now I'm not working, but I was saving some money.
11 Q Okay. So you're unemployed now?
12 A Yeah.
13 Q Prior to becoming unemployed, what job did you have?
14 A Before --
15 Q Sorry.
16 A Before I stopped working?
17 Q Yes.
18 A The gas station.
19 Q The Citgo gas station?
20 A Citgo gas station.
21 Q That is owned by Mr. Younes?
22 A Yes.
23 Q How long did you work there?
24 A Like two years.
25 Q And what was your position there?

Network Reporting

1-800-632-2720

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 7

1 A Manager, cashier.
2 Q About how many hours a week would you work?
3 A 20.
4 Q Were you paid hourly?
5 A Yeah.
6 Q How much?
7 A \$10.
8 Q What were your duties at Citgo?
9 A What?
10 Q What were your duties? What kind of things did you do at
11 your job?
12 A I make order, all the order, help customer, organize stuff,
13 put stuff on the shelf.
14 Q So you would order stuff to be stocked on the shelves?
15 A Yeah.
16 Q And then you would run the register?
17 A Yeah.
18 Q Other than you, who were the other managers?
19 A If I'm not the manager, the day -- the owner, he
20 (indicating) did the managing.
21 Q So you and Mr. Younes?
22 A Yes.
23 Q Your wife testified about a man named Omar. Do you know
24 Omar.
25 A Yeah, he was working at the station.

Network Reporting

— 1-800-632-2720 —

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 11

1 A Just when he come to the station when I think he got the
2 paper, him too. So he called me and told me to put the
3 purses down. "I don't want to sell them no more." He get
4 sued. So I put them in a box and when the guy comes, I
5 return them for him when he come to the station a couple day
6 later. So he know I returned the purses, so he get mad. He
7 told me he get sued and he have to see the purses.

8 Q Okay. So let's talk about the bags.

9 A Okay.

10 Q When was the first time you bought handbags for resale at
11 the Citgo store?

12 A Yeah, I think December 2010.

13 Q Where did you get them from?

14 A A lot of people pass by the station selling stuff. So some
15 guy, he was selling me some T-shirt, so he showed me those
16 purses.

17 Q Do you know the guy's name?

18 A I think his name is Ali.

19 Q Is he the same guy who owned the dollar store?

20 A No, no, no.

21 Q A different Ali?

22 A Yeah.

23 MR. FAKIH: It's a common name.

24 MR. SADLER: I had to be sure.

25 A Like two Mohamed, two Ali.

Network Reporting

— 1-800-632-2720 —

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 25

1 Q All right. How about, let's say, candy bars?

2 A We don't count them. A lot people, you know, steal in
3 Detroit, so we don't count them.

4 Q Did you keep track of the sale of the bags?

5 A Actually, no. But do you mean do I count how many bag we
6 sold?

7 Q Yes.

8 A We sold like one a week. Sometime less one -- like three a
9 month; three to four a month.

10 Q So when you sold a bag, would you then get another one from
11 the box and put it out onto the shelf where the other bag
12 used to be?

13 A Yes, yes.

14 Q And you said that there came a time when you returned the
15 remainder of the bags to Ali?

16 A Say that again, please?

17 Q At some point you gave some bags back to Ali?

18 A Yes.

19 Q When did that happen?

20 A Like last year, after he called me.

21 Q Okay. At some point you and Mr. Younes had a conversation
22 about the sale of the bags; is that true?

23 A Yes.

24 Q Was it just one conversation or was it two or was it many?

25 A Just one when he told me, "Take them off, I don't want to

Network Reporting

— 1-800-632-2720 —

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 26

1 sell them no more."

2 Q Okay. When was that conversation?

3 A Like, I think, 2011, April; end of April.

4 Q Did you talk on the phone or was it a face-to-face
5 conversation?

6 A No, he called me.

7 Q Where were you when he called you?

8 A The who?

9 Q Where were you when he called you? Were you at the store or
10 at home?

11 A No, he called me in the station.

12 Q And what did he tell you exactly?

13 A He told me to take all the purses off. "I don't want to
14 sell them no more." He was screaming at me so I put him
15 down.

16 Q Okay. When you received that call, were there still purses
17 in the store?

18 A Yes.

19 Q And Mr. Younes called you up and he was mad?

20 A Yes.

21 Q What did you tell him during that conversation?

22 A I told him, "Why?" He told me he got sued so "Take them
23 off. I don't want to sell them no more."

24 Q So what did you do?

25 A Nothing, I told him okay.

Network Reporting

1-800-632-2720

COACH, INC., ET AL v. YOUNES CORP., INC.

DEPOSITION OF MOHAMED MALLAH

Page 27

1 Q Did he tell you why he had been sued?

2 A No, he told me, "When I see you, I'll talk to you. I have
3 to -- so just take them off."

4 Q Okay. What did you do after that conversation?

5 A I take them off, I put them in a box, I put them back in the
6 office.

7 Q So you took the bags off the shelf and put them back into
8 the box?

9 A Yes.

10 Q Then what happened to the bags?

11 A Nothing, after I put them in a box. That was end of April
12 so the guy, he came every month one time, first of the
13 month. So he came in May. I told him I wanted to return
14 them -- no more. "The owner, he got sued because of those
15 purses," so he returned them. He guarantee first if you
16 want to return and it doesn't sell they going to return them
17 for me. So I returned the bags and he give me my money.

18 Q Do you remember how many bags were in the box when you
19 returned them?

20 A I think 10 to 15, because he gave me like \$300, 350.

21 Q Okay. Let me go back a little. After you had the
22 conversation with Mr. Younes about taking the bags off the
23 shelf, did you ever have another conversation with him about
24 the bags?

25 A Yes.

Network Reporting

1-800-632-2720